

REMARKS

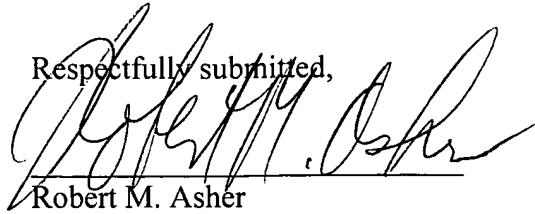
All claims have been rejected over the 102(e) reference to Kanevsky et al. alone or in combination with other references. Applicants have shown that the conception and reduction practice of their invention occurred prior to the filing date of Kanevsky et al. The examiner has identified a couple of deficiencies in the form of the Rule 131 Declaration. A Supplemental Declaration under 37 C.F.R. §1.131 addresses all remaining issues and puts the present application in condition for allowance. The Supplemental Declaration clearly states that the screenshots of Exhibits A-J were made for the purpose of responding to the examiner's action in the above-identified application, thus they were prepared during patent prosecution and not before filing. The screenshots relied upon to show the invention include Exhibits B-J. The Supplemental Declaration clearly states that "The screenshots of Exhibits B-J were made using the Java source code created prior to April 23, 1999." Finally, the examiner inquires as to whether the program actually worked before April 23, 1999. The Supplemental Declaration confirms that, "Prior to April 23, 1999, our Java source code worked as it does today to practice the invention as set forth in the Declaration Under 37 C.F.R. §1.131 received by the USPTO on December 21, 2005." Thus, if it was not already made clear by the previously filed declarations, the original program created prior to April 23, 1999 was recently used to create screenshots and that program was in working condition prior to the critical date. There should be no remaining issues with respect to Applicants' establishment of an invention date prior to the Kanevsky et al. filing date. Therefore, the rejection has been overcome and all claims should be allowed.

The examiner should now consider any other additional prior art material to the prosecution of this application including all art cited in the Information Disclosure Statement that was electronically filed on August 18, 2004. The examiner is requested to acknowledge consideration of all these cited references. In particular, consideration has specifically been requested with respect to the Lewak et. al. patent. Applicants believe their invention as claimed fully distinguishes over the prior art.

For the foregoing reasons, Applicants submit that all claims pending in the application are patentable over the art of record and early notice to that effect is respectfully solicited.

Application Serial No.: 09/891,599
Amendment dated May 8, 2006
Reply to Office Action of March 27, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. Asher", written over a horizontal line.

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